

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/3070	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Construction of eastern and western extensions to main house, dormer extension, porch and removal of modern extensions, alongside external and internal alterations. External and internal alterations to curtilage listed building, swimming pool, installation of courtyard gate, construction of garage, swimming pool pavilion, glasshouse/outbuilding, and wider landscape interventions.		
Site:	Nether Walstead, East Mascalls Lane, Lindfield, Haywards Heath, West Sussex, RH16 2QJ, ,		
Validation Date	5 Jan 2026	Overall Expiry Date:	20 Feb 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	28 Apr 2026
Target Date:	2 Mar 2026	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	30 Apr 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/3070

Nether Walstead, East Mascalls Lane, Lindfield, Haywards Heath, West Sussex, RH16 2QJ, Construction of eastern and western extensions to main house, dormer extension, porch and removal of modern extensions, alongside external and internal alterations. External and internal alterations to curtilage listed building, swimming pool, installation of courtyard gate, construction of garage, swimming pool pavilion, glasshouse/outbuilding, and wider landscape interventions.

Teresa Lake And Edward Ball

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

MSDC Conservation Officer: Although some aspects of the scheme would result in potential enhancement of the building's special interest, there are unfortunately significant areas which remain of concern in terms of the adverse effect on that special interest, either directly or through impact on setting. As it stands, I would consider the proposal to be contrary to the requirements of District Plan Policy DP34. In terms of the NPPF, I would consider that the proposal results in less than substantial harm at the mid-high range of that scale, such that the balancing exercise set out in paragraph 215 will apply. In carrying out this exercise, the Council must be mindful of the great weight which must be given under the Framework to the conservation of heritage assets, and the requirement that any harm must have a clear and convincing justification.

MSDC Tree Officer: I object to this proposal, as I find that it is not in line with DP37 of the Mid Sussex District Plan 2014-2031.

Ecology: No objection subject to conditions.

West Sussex Naturespace: No objection subject to submission of Great Crested Newt statement outlining protection measures.

PARISH COUNCIL OBSERVATIONS

Impressed with detail and sympathetic improvements sought to enhance this listed property. LRPC support this application

INTRODUCTION

Planning permission is sought for the construction of eastern and western extensions to main house, dormer extension, porch and removal of modern extensions, alongside external and internal alterations with external and internal alterations to curtilage listed building, swimming pool, installation of courtyard gate, construction of garage, swimming pool pavilion, glasshouse/outbuilding, and wider landscape interventions.

RELEVANT PLANNING HISTORY

03/03182/FUL - Demolition of outbuildings and garden wall. Erection of single storey extension to form Breakfast Room, Cloakroom, Entrance Lobby. Replacement of balcony doors with window. (approved)

SITE AND SURROUNDINGS

Nether Walstead is a Grade II listed building, the former farmstead to Nether Walstead Farm, which is located in a rural position outside Lindfield. From the list description, the building dates originally to the 17th century or earlier, but was altered in the 19th century and extended in the 20th century.

It is a large two storey detached pitched roofed dwelling characterised by various extensions to the front, rear and side. Walls are characterised by a mix of face brickwork, tile hanging, timber cladding and painted render with pitched roofed dormers to the front, side and rear elevations and side bay windows. The grounds characterised by outbuildings and a swimming pool.

To the north of the site is the long driveway to highway beyond, to the south of the site is the set higher rear garden with hedging and woodland to fields beyond, to the east of the site is the side garden and access path to The Cottage and the Coach House and to the west of the site is the set higher side garden with post and rail fencing to fields beyond.

The site is situated within the countryside as defined in the District and Neighbourhood Plans.

APPLICATION DETAILS

The alterations include the following:

External alterations include the removal of the twentieth-century kitchen extension and adjacent single-storey lean to.

The kitchen extension measures some to some 3.9m in depth, 6.8m in width with a height to eaves of 2.3m and an overall height of 5.15m and the lean to measuring some 6.65m in maximum depth, 2.1m in maximum width with a eaves height of 2.15m and an overall height of 3m.

The historic catslide roof is to be restored to the rear where the existing kitchen extension was located with clay brick infill to match the existing. Other alterations to the rear elevation include the removing of the existing bargeboards and fascias and installing lime wash natural render with the existing fenestration to be removed to allow for rear French doors to be installed serving the dining room.

The proposed link to the billiard room approximately measures 1.5m in depth with a width of 1.7m. The Billiard room approximately measures 5.5m in depth, 7.5m in width with a height to eaves of 2.2m and an overall height of 3.75m.

The alterations to the porch include the removal of the first-floor terrace. Other alterations to the front extension include an additional front door with a metal seam porch measuring 2.2m at eaves and 3.4m in overall height. Ground floor windows serving the laundry room and WC and first floor window serving the dressing room. Rear windows to be installed serving the kitchen.

A side extension serving a WC and Laundry room approximately measures 3.9m in depth, 6.7m in width with eaves and ridge height to match the existing dwelling.

Alterations to the western side elevation includes the removal of the bay windows, dormer, porches and first floor faux timber framer and cement render infill panels. Lime wash natural render used on walls, a single storey lean-to measures approximately 8.45m in depth, 2m in width with a height to eaves of 2.2m and an overall height of 4.3m. This serves the kitchen and hanging room. A new side gable measures 4.1m in width, 5.25m in height to eaves and 7.9m in ridge height with a new side door serving the laundry room.

A two storey side extension approximately measures 9.75m in depth, 2.5m in width with a matching eaves and ridge height to the existing dwelling. This serves a dressing room and bathroom on the first floor with side windows.

The proposed swimming pool pavilion approximately measures 8.75m in depth, 5.5m in width with a height to eaves of 2.3m and an overall height of 4.55m. This will be characterised by painted hardwood cladding and clay plain tiles.

The proposed glasshouse approximately measures 10m in depth, 5.25m in width with a height to eaves of 1.7m and an overall height of 3.3m.

The proposed replacement painted metal courtyard gate approximately measures 2.865m in width and 1.7m in height.

The proposed hardwood weatherboarded car barn approximately measures 6.1m in depth, 16m in width with a height to eaves of 2.35m and an overall height of 5.9m. This serve an open garage and enclosed storage.

Alterations to the studio barn include the changing of the existing storage to a studio, the larger garage to a gym with associated bathroom, kitchen and storage with rear lean - to removed. On the western side elevation new windows proposed with timber boarding shutter. The window on the eastern side elevation removed. A rear window timber with two conservation rooflights proposed. On the south front elevation has the existing middle garage door replaced by timber doors, and additional window and a smaller window.

Ground floor alterations include creation of an opening between the living room and office and door removed between living room and hallway. Alterations to existing WC, decorative columns within the living room removed. Cill level at front bay to living room reduced. Rear and side bay windows to living room removed. Historic opening in the side living room to entrance hall reinstated. Existing 21st century kitchen and utility room floor and wall cabinetry removed.

The existing living room altered to an open plan kitchen/dining room, existing front living room altered to a lobby and WC, existing kitchen altered to a family room. The existing dining room, rear entrance hall and utility room changed to a garden room and kitchen.

First floor internal alterations include internal doors from staircase hallway removed. New openings between bedrooms and en-suites created, terrace above entrance porch removed. Existing joinery within eastern bedroom removed and reused and existing internal partition and sanitaryware and fittings removed.

The bathroom and storage cupboard adjoining the eastern bedroom to be changed to a corridor and en-suite. Bedroom 1-14 removed to become an en-suite to adjoining between and additional storage cupboard created.

An open plan bathroom and bath lobby serving master bedroom created with new dressing rooms and WC created

Second floor internal alterations include the removal of the cupboard with the dormer cheek and reveal reinstated internally. Existing storage room also removed with existing bedroom altered to a bathroom serving existing adjoining bedroom.

Hard and soft landscaping includes the installation of flower borders, hedging, clay pavers and stone retaining wall and a formal garden to the front of the dwelling with the installation of a log and refuse store to the front of the property.

LEGAL FRAMEWORK AND LIST OF POLICIES

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocation Development Plan Document (DPD) and the Lindfield and Lindfield Rural Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP12 - Protection and Enhancement of the Countryside
DP16 - Area of Outstanding Natural Beauty
DP26 - Character and Design
DP34 - Listed buildings and other heritage assets
DP37 - Trees, Woodland and Hedgerows
DP38 - Biodiversity

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

Neighbourhood Plan

The Lindfield and Lindfield Rural Neighbourhood Plan was formally made on 23 March 2016

Relevant policies:

None relevant

Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and hearings were concluded on the 19th March 2026. The District Plan remains at Examination until the Inspector has published his report, until that time only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant Policies:

DPN1 - Biodiversity, Geodiversity and Nature Recovery
DPN4 - Trees, Woodland and Hedgerows
DPC1 - Protection and Enhancement of the Countryside
DPB1 - Character and Design
DPB2 - Listed Buildings and Other Heritage Assets

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council is currently in the process of adopting a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide has been through public consultation and the Scrutiny Committee for Housing, Planning and Economic Growth have recommended to Council its adoption as an SPD for use in the consideration and determination of planning applications. While not yet adopted, it is considered that this document carries weight and is a material consideration in the determination of the application.

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 8, 11, 131, 135, 210,212,213,214 and 215 are considered to be relevant to this application.

ASSESSMENT

Protection and Enhancement of the Countryside

DP12 of the Mid Sussex District Plan in part states:

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- it is necessary for the purposes of agriculture; or*
- it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

Given the domestic nature of the proposal it is not deemed harmful to its rural locality.

Design, Impact upon heritage assets and Character of the Area

As such the Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant to the consideration of the application.

S. 66 states:

'66.—(1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Recent case law has stated that:

*"As the Court of Appeal has made absolutely clear in its recent decision in **Barnwell**, the duties in sections 66 and 72 of the Listed Buildings Act do not allow a local planning authority to treat the desirability of preserving the settings of listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. If there was any doubt about this before the decision in **Barnwell** it has now been firmly dispelled. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area, it must give that harm considerable importance and weight.'*

Policy DP34 of the District Plan relates to Listed Buildings. It states that:

'Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- o A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- o Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- o Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- o Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- o Special regard is given to protecting the setting of a listed building;*
- o Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.'*

The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraphs 210, 212-215 of the NPPF are relevant and state that:

'210. In determining planning applications, local planning authorities should take account of:

- o the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- o the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- o the desirability of new development making a positive contribution to local character and distinctiveness.*

Considering potential impacts

212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;*
- c) and conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

DP26 of the District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- is of high quality design and layout and includes appropriate landscaping and greenspace;*
- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*

- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;
- protects open spaces, trees and gardens that contribute to the character of the area;
- does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution'

Principle DG49 states:

'Extensions should respond to the design of the original dwelling and applicant will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well integrated with the existing scale, form and massing allow the original building to remain the dominant element of the property whether it has one or several additions.'

Extensions should typically use simple, uncomplicated building forms to complement and coordinate with the scale, form and massing of the original dwelling. The design approach may benefit from coordinating with the existing pattern of window and door openings as well as employing facing materials to match those of the existing dwelling. Otherwise, it should demonstrate the appropriateness of the alternative approach.

Extensions should not result in a significant loss to the private amenity area of the dwelling.

There are two general approaches to extending a property:

- designing in the style of the existing building by closely matching its facing materials, architectural features, window sizes and proportions; and
- designing in a contemporary style that takes its cues from key aspects of the existing building that might include its underlying form and proportions, facing materials, window design and other specific architectural features. The success of this approach is particularly reliant on high quality facing materials and finishes, and this will normally need to be demonstrated through detailed elevations and section drawings.

Both approaches can create successful, well designed extensions that can be mutually beneficial to both the house and the wider area. All extensions and alterations should consider their impact on neighbouring properties (refer to Chapter 8 on residential amenity).'

Design Guide Principle DG50 refers to front and side extensions and states:

'Front extensions are more likely to be acceptable where the building line is staggered or where the dwelling is set well back from the road. They are less likely to be acceptable in streets with a strong consistent building form as they risk disrupting the underlying order.'

Where front extensions are considered acceptable, they should normally be limited to a modest single storey or porch-type extension that reflect the character of the existing property.

Side extensions are typically visible from the public realm and will be resisted where they have an adverse impact on the street scene or the appearance of a dwelling.

Side extensions

Side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building.

The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views / visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view'.

The Conservation Officer has commented stating the following:

'Nether Walstead is a substantial Grade II listed house, a former farmhouse, located in a rural position outside Lindfield. The house dates originally, according to the list description, from the 17th century or earlier, but was substantially extended in several phases during the 18th, 19th and early 20th centuries, with further additions during the later 20th century including a rear dining room extension.

Nether Walstead is considered to possess architectural interest based on its construction and craftsmanship over several different phases of development, historical illustrative interest as a good example of a Sussex farmhouse, later country residence, altered and extended in response to changing socio-economic circumstances and the needs and aspirations of successive occupiers, and aesthetic value based in part on the use of vernacular materials viewed within the landscape from which they were drawn.

To the northeast of the house is the former farmyard of the Nether Walstead farmstead, which includes a number of surviving 19th century or earlier former farm buildings. Nether Walstead is recorded in the West Sussex Historic Farmstead and Landscape Character assessment as a historic farmstead of the post medieval period. These farm buildings would be regarded as curtilage listed, and are likely to be considered to possess architectural interest based on their construction and craftsmanship, historical illustrative interest as examples of former farm buildings of their type and period, and aesthetic interest based partly on the use of vernacular materials. They also have group value with the former farmhouse, and contribute positively to its setting and special interest. Parallel listed building consent and planning applications have been received in respect of these buildings, which I have commented on separately.

The current proposal, which follows on from pre-application advice, is for extensive works to the exterior and interior of the house, and within its setting, comprising:

- *Remodelling and extension of the early 20th century wing to the western end of the house including a part two, part one storey extension;*
- *A porch extension to the front (northern) elevation;*
- *Removal of the existing kitchen extension to the rear of the building and adjacent single storey lean-to, and reinstatement of a catslide roof, with additional overhang;*
- *Construction of a new billiard room addition to the eastern elevation of the house in the form of a linked pavilion;*
- *Removal of the first floor of the existing 20th century porch to the northern elevation;*
- *Other internal and external works to the house including alterations to the plan form at ground and first floor;*
- *A new swimming pool pavilion to the rear garden;*
- *Associated hard and soft landscaping works around the house, including to the north of the building extension of the existing driveway/parking area and a new paved area enclosed with hedging with bin and log stores, and to the south amendments to the patio area with introduction of a covered pergola, new steps and an outdoor kitchen;*
- *Alterations to the existing garage/store building to the north of the house adjacent to the entrance drive, including new and altered openings and changes to the internal plan form in association with partial conversion to use as studio and gym;*
- *Construction of a glasshouse against the southern side of an existing outbuilding to the east of the house with demolition of an existing greenhouse;*
- *A new five bay car barn located to the north east of the house; and*
- *A replacement gate between the existing garage courtyard and green to the north of the Coach House.*

To consider these works in turn:

- *The existing extensions to the western end of the house represent several phases of development, dating from the 18th and the late 19th- early 20th century. The current proposals relate the Edwardian phase, and are for a further extension to the western elevation over two stories, with a further single storey lean-to element beyond this.*

At pre-application stage concerns were raised regarding the principle of the proposed part two, part one storey extensions to the western end of the house, and I remain of the opinion that this aspect of the proposal is contentious. The existing additions to the western end of the historic core are very substantial, and the proposed further extension would only add to their bulk, and further unbalance the relationship of scale between the original or early house and the more modern additions to it.

The submitted pre-app statement downplays the significance of the Edwardian 'Arts and Crafts' style additions to the house, and describes them as resembling an Edwardian or interwar suburban house. I would agree that they contribute less to the special interest of the building than the 18th century and earlier fabric; however in my opinion they do not in their style (as opposed to their scale) particularly detract from the appearance of the building- I would say rather that they are typical of their period, and are intended to reflect the vernacular architecture of the area. I do not consider that Arts and Crafts is a particularly suburban style- in my experience it is also found in rural contexts. I can think of other country houses in Mid Sussex constructed, or extended, in this manner. Standen would be an outstanding example. In my opinion, these parts of Nether Walstead make some contribution to the narrative of the house's development over time, as it evolved from a Sussex farmhouse to a country residence of some pretension. The extension and remodelling of this part of the building will detract from or remove any appreciation of that important aspect of the house's history, and as noted at pre-application stage I do not see the benefits in rationalising the appearance of this part of the building that the applicant suggests.

I therefore unfortunately do not see that the extension and remodelling of the western end of the house attracts the benefits which are assigned to it within the Design, Access and Heritage Statement; in my opinion, the loss of character to the early 20th century wing of the building detracts from its narrative as a farmhouse converted to a substantial country house during this period. There are not, in my opinion, heritage benefits which outweigh the harm caused by the increase in scale and bulk of the additions to the historic core of the house, in particular when viewed in conjunction with the proposed billiard room extension to its western end.

- At ground floor it is proposed to create an alternative entrance with a new porch towards the western end of the house. It would appear that part of the originally intended Edwardian works to the house was to create an entrance in this position, but this work was not completed. At pre-application stage it was considered that subject to detail this aspect of the proposal would not be regarded as contentious, if it were balanced against a more sympathetic proposal for the existing modern porch discussed below.

As submitted, the existing porch is only partly removed, rather than sympathetically replaced, and the heritage benefit arising from this aspect of the scheme is therefore reduced. On balance, I would remain of the opinion that a new porch to the western end of the elevation could be acceptable, however the scale and design of the feature as shown are in my opinion inappropriate. The footprint and height of the addition are such that it appears inappropriately prominent within the elevation, drawing attention away from the historic core of the building. In addition, although I appreciate that the intention is to create a suite of alterations and additions to the property which read as clearly contemporary and as of a single phase, in my opinion the design of the structure, which has a low pitched hipped lead roof and supporting tapered timber columns, has a pared down contemporary classicism which does not relate appropriately to its context, in terms either of the materiality and key phases of development of the building, or of its 'vernacular' nature. I would recommend that this aspect of the proposal is reconsidered to reduce the scale of the addition and introduce a form and materials which sit more comfortably with the existing building.

- The existing rear kitchen extension is a late 20th century addition to the building, which is not of any merit, and detracts from its special interest in interrupting the historic form of the catslide roof to this part of the building. The adjacent single storey lean-to is also modern addition which is not of special interest. The removal of these is considered beneficial in heritage terms, as is the reinstatement of the catslide roof.

However, the inclusion of an overhang to this roof detracts from the accuracy and hence the heritage benefits of this aspect of the proposal. In addition, the supporting tapered timber columns to this overhang, as noted above in relation to the porch extension to the front of the property, exhibit a pared-

down classicism which is not considered appropriate to the context. I would recommend that this aspect of the proposal is omitted.

- The proposed new billiard room is shown as a linked pavilion to the eastern side of the house. The east elevation of the building is part of the historic core of the building and is dominated by a massive brick and stone chimney stack, surmounted by triple brick flues, which is one of the principal features of the house's exterior. There is an existing single storey lean to addition wrapping around the rear (southeast) corner of the house, which appears to date predominantly from the late 19th-early 20th century, extended to the rear as part of the above mentioned 1987 addition - the removal of the rear part of this extension is discussed above.

The existing lean-to addition encroaches slightly on the base of the chimney stack, and although it may be of some interest in terms of the narrative of the development of the house during the 19th/early 20th century, when it underwent significant change, I would consider that its removal may not be considered contentious, and has the potential to better reveal the much more significant chimney.

At pre-application stage, concerns regarding the new billiard room in position were raised. The formal submission is revised to show the billiard room set off the side elevation of the house as a linked pavilion. However, I remain of the opinion that this aspect of the proposal is contentious, for a number of reasons.

The historic core of the building has, as noted above, already been very substantially extended over several phases of development. There are extensions to all sides of the core, and there is a danger that any further substantial addition to the house will result in a situation where the core of the building is completely overwhelmed by additions to it. Although I am mindful that the billiard room addition would be balanced against the removal of the existing 19th and 20th century extensions to this corner of the building, the proposed addition is located in a more visually prominent position to the side of the building than the existing extensions, and would effectively bookend the core of the building with substantial additions. Also, although it looks like the footprint of the proposed new extension may not be dissimilar to the existing additions it is proposed to remove, the existing additions are more compactly positioned against the rear corner of the house.

Furthermore, although set off the elevation by a linking structure, the proposed addition extends part way across the base of the chimney stack, which as above is one of the most significant features of the exterior of the building. It would partially conceal the stack in views from the west side of the building, and would detract from its visual prominence within the elevation.

In addition, the design and materials of the pavilion raise similar concerns to those noted above in respect of the proposed porch extension.

The proposed screening by existing and new vegetation is noted, but may prove ephemeral, and as such can attract little weight in considering the impact of the extension.

For these reasons, notwithstanding the benefits arising from the removal of the rear kitchen extension, I do not consider that this is an appropriate position or form for a replacement addition.

- The northern wing of the building appears to date from the 18th century. A 20th century porch extension which consists of an enclosed porch under a roofed but open sided balcony at first floor sits between this and the main east-west range of the historic core. This structure detracts from the appearance of the façade of the building. At pre-application stage, it was noted that the removal and more sympathetic replacement of this structure would not be considered contentious and has the potential to enhance the appreciation of the special interest of the listed building.

The current proposal is however only for the removal of the open sided first floor element of the structure. Whilst this is not considered contentious, and is to an extent beneficial, it does not enhance the special interest of the listed building to the same extent as its entire removal could potentially have done.

- Further, more minor external alterations to the building include replacement of the barge boards to the projecting northern wing, lowering of the cill level of the ground floor window to the bay window to this wing, removal of a soil vent pipe from the rear elevation.
- Internally, works are proposed at ground, first and attic floors. For the most part, these affect modern fabric or are confined to the early 20th century western wing and associated with the remodelling and extension discussed above. As previously noted, the extent and nature of works to the 20th century wing are not considered acceptable, but otherwise the internal works to the property are not considered contentious in terms of their impact on the special interest of the building, subject to detail.
- The new swimming pool pavilion is set within the gardens to the south of the house, adjacent to the existing swimming pool. It is not considered contentious in principle, however I note the inclusion of the same painted timber columns as discussed above. This is perhaps less of an issue on a stand alone building, however the applicant may consider that a holistic revisiting of the design of the proposed new additions/works is required, including this detailing, if the intention for these to read as a consistent suite of works is pursued.
- Hard and soft landscaping works are proposed to the area around the house. Whilst some aspects of this part of the proposal are not considered contentious, and may be beneficial to the quality of the garden setting within which the listed building is appreciated, other aspects do raise some concerns.

Firstly, the location of the proposed bin and log store in close proximity to the eastern end of the house, and forward of the façade, is not considered appropriate, notwithstanding the inclusion of a screening yew hedge around the area in question. In the context of a property of this scale with extensive gardens and numerous outbuildings this relatively prominent location is not considered necessary or justified. The position of the bin and log store should be revisited to set these away from the frontage of the house.

At the rear of the house the general works to reconfigure the patio area in terms of its footprint and levels are not considered contentious subject to detail, however the inclusion of what appears to be fairly substantial covered pergola or seating area next to the western part of this elevation may be less favourably viewed in terms of the introduction of a new, albeit presumably open sided, structure in close proximity to the house- no detail of this appears to have been provided, can the applicant please clarify their intentions in this respect and provide relevant drawings?

- The proposed works to the existing garage/store building are not generally considered contentious, subject to detail, but I would suggest that the proposed new window to the south elevation is reduced in size to match the existing adjacent opening.
- The existing outbuilding to the east of the house appears, from historical map regression, to date from the late 19th or early 20th century. The same map regression exercise shows that originally a glass house was built against its southern wall, presumably in a lean-to arrangement. This building would appear to be broadly contemporaneous with the period of enlargement of the house which converted it from a farmhouse to a comfortable country residence, and as such is of some interest in terms of the narrative of the site.

The adjacent greenhouse which is just to the south of this is more modern, and is not of any particular interest. Its removal is therefore not considered contentious.

Subject to detail, the construction of a replacement glass house against the southern wall of the retained outbuilding is also not considered contentious, and has the potential to reinstate (although it is presumed not with any great accuracy) a former feature of the estate.

- At pre-application stage a car port was proposed to the frontage of the house. This was considered contentious in terms in particular of its location; it was however noted that 'a new building may be possible within the gardens to the house, but it should be of the minimum necessary scale and more sensitively located.'

The revised position for the five bay car port and storage building included in the current proposal is to the northeast of the house, to the south of the former farm courtyard. This location is considered more

appropriate in terms of the visual prominence of the building in key views, and in the manner in which it is clustered with the other historical ancillary buildings. However, the scale of the building is in my opinion potentially overbearing and remains a concern. I would recommend that this is revisited, and the scale reduced. For example, the proposed storage use could be split from the triple garage and accommodated in a new building elsewhere within the grounds, away from the frontage of the house. This could potentially be revisited alongside the location of the wood and bin stores, discussed above.

- *The proposed replacement gate is not considered contentious in principle, however the use of painted metal is not considered acceptable in this context, due to its inappropriate character- please also refer to my comments on the applications referring to the former farmyard buildings and the gate which has been installed to the south of the Coach House, and upcoming pre-application response in relation to the gates and posts which have been installed along the driveway, which are not in accordance with the existing planning permission granted in this respect. If a solid timber gate of a single leaf is impractical for reasons of weight, a more open design could be used, or a pair of side hung gates. This aspect of the proposal therefore requires revision.*

In summary, although the proposal has moved on following the pre-application submission, and it is acknowledged that some aspects of the scheme would result in potential enhancement of the building's special interest, there are unfortunately significant areas which remain of concern in terms of the adverse effect on that special interest, either directly or through impact on setting. As it stands, I would consider the proposal to be contrary to the requirements of District Plan Policy DP34. In terms of the NPPF, I would consider that the proposal results in less than substantial harm at the mid-high range of that scale, such that the balancing exercise set out in paragraph 215 will apply. In carrying out this exercise, the Council must be mindful of the great weight which must be given under the Framework to the conservation of heritage assets, and the requirement that any harm must have a clear and convincing justification'.

The design of the proposed enlargements is either subservient to the existing dwelling or matching in terms of eaves and ridge height. The materials are broadly to be sympathetic to the existing dwelling. In terms of the design of the changes it is seen that it will improve the functionality of the house.

However, it is not seen that that the extension and remodelling of the western end of the house attracts the benefits which are assigned to it within the Design, Access and Heritage Statement; the loss of character to the early 20th century wing of the building detracts from its narrative as a farmhouse converted to a substantial country house during this period.

The existing porch is a structure which detracts from the existing dwelling and whilst the first floor terrace has been removed, the proposal retains the existing front porch which appears alien to the dwelling. It is felt that whilst the proposed new front porch entrance on the western end of the frontage is acceptable in principle the proposed height and contemporary design draws attention away from the historic core of the building and does not relate to the existing building in terms of materiality and key phases of development of the building, or of its 'vernacular' nature.

The proposed billiard room link addition extends part way across the base of the chimney stack, which is one of the most significant features of the exterior of the building. It would partially conceal the stack in views from the side of the building, and would detract from its visual prominence within the elevation. Coupled with this the design and materials of the billiard room building with its more contemporary design as with the new porch is seen to draw attention away from the historic core of the building and does not relate to the existing building.

In terms of other works, the use of painted metal is not considered acceptable for the replacement gate in this context. Whilst it is noted that the gates and posts which have been installed along the driveway are similar to the proposal, these gates are not in accordance with the existing planning permission granted (DM/25/0007) which were approved using painted timber.

The location of the proposed bin and log store in close proximity to the end of the house, and forward of the façade, is not considered appropriate.

Therefore, elements of the proposal are deemed out of character with the existing dwelling and the wider area. Therefore, it is deemed contrary to DP26 of the Mid Sussex District Plan, DG49 and DG50 of the Mid Sussex Design Guide and the relevant paragraphs of the NPPF.

Therefore, the proposal is seen to detract from the special interest of the listed building, contrary to the requirements of District Plan Policy DP34. In terms of the NPPF, the conservation officer places the harm as less than substantial, at the mid-high range of that scale, such that the balancing exercise set out in paragraph 215 will apply.

In terms of the NPPF the proposal would cause less than substantial harm to the heritage assets, as set out in paragraph 215, and is weighed against the public benefits of the proposal.

This is the balancing exercise that must be undertaken by the decision maker, ensuring that considerable importance and weight is given to the less than substantial harm to the heritage asset that has been identified.

It should be noted that National Planning Practice Guidance states that public benefit 'should not just be a private benefit'. The property remains in its original use, as a dwelling, and is not considered to be currently at risk.

Whilst the benefits of scheme, with the removal of the existing rear kitchen extension and the adjoining lean to which will again give the historic form of catslide roof prominence in this area with the replacement extensions allowing for a more functional design approach rather than the mix and match of the current dwelling with various historic extensions which would enhance the living accommodation for sustainable long term use allowing for adaption within the building, this is a private benefit and does not fall to be considered in the balance. It is also noted that there are some public benefits to the scheme in terms of the construction jobs over the life of the build. However, because of the small scale of the development proposed, these benefits would have limited weight.

Furthermore, the continued viable use of the building as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.

As the proposal attracts primarily private benefit to the applicant, there is no significant public benefit to weigh against the less than substantial harm deemed to be caused to Nether Walstead.

As no significant public benefits have been identified that would outweigh the harm identified in heritage terms, the proposal would fail the assessment within the NPPF and would not comply with policies DP26 and DP34 of the Mid Sussex District Plan, principles DG49 and DG50 of the Mid Sussex Design Guide and the NPPF.

Residential Amenity

Policy DP26 of the District Plan requires developments to demonstrate that it does not cause significant harm to amenities of existing nearby residents (or future occupiers), taking into account matters such as impact on light, privacy and outlook.

Given the relationship with neighbouring properties, neighbouring amenities are not deemed to be harmed any more than by the current relationship.

Therefore, in terms of neighbouring amenities the proposal complies with DP26.

Impact on Trees

Policy DP37 of the Mid Sussex District Plan states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- o incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- o prevents damage to root systems and takes account of expected future growth; and*
- o where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- o has appropriate protection measures throughout the development process; and*
- o takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- o does not sever ecological corridors created by these assets.*

Proposals for works to trees will be considered taking into account:

- o the condition and health of the trees; and*
- o the contribution of the trees to the character and visual amenity of the local area; and*
- o the amenity and nature conservation value of the trees; and*
- o the extent and impact of the works; and*
- o any replanting proposals.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary'.

The tree officer has confirmed that in their view the removal of the Group 5 Yew Trees is contrary to DP37 of the Mid Sussex District Plan 2014-2031 and that the pool house is located well within the root protection area T32 a category B grey poplar, and therefore close to the main stem making the proposed pool house being detrimental to the affected tree which may result in failure and subsequent damage to the constructed pool house should it be granted permission.

It is noted however that the Yew trees are not deemed worthy for tree protection order or are not readily publicly visible. They therefore do not have significant amenity value. In terms of the impact on T32 whilst the potential harm is noted with incursion into the RPA, as the tree is not protected it could be removed without the need for consent. In any event, replacement trees could be secured via condition requiring a suitable landscaping scheme.

Therefore, on balance the proposal is deemed to comply with DP37 of the Mid Sussex District Plan.

Ecology and Biodiversity

Policy DP38 of the Mid Sussex District Plan states:

'Biodiversity will be protected and enhanced by ensuring development:

- Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to*

biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and

- Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*
- Promotes the restoration, management and expansion of priority habitats in the District; and*
- Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.*
- Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks.*

Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.'

Paragraph 193 of the NPPF states:

'When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'

The Council's Ecologist consultants have been consulted on the application and considered that the proposal is acceptable on ecology terms subject to conditions. This is agreed with by the officer. It is therefore considered that this proposal would also comply with the aims of policy DP38 of the Mid Sussex Plan and the NPPF.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. As a householder application, this development is exempt from the requirement to provide biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.

Whilst elements of the proposal are considered to be acceptable and it would not harm the countryside with its domestic nature, neighbouring amenities would not be harmed and trees are deemed to not be harmed to a degree worthy of formal protection and subject to ecology conditions the proposal would be acceptable.

The proposed single storey and two storey side extensions would be harmful to the special interest of the listed building, they would detract from and in part overwhelm the historic core of the building and would be out of character and appearance of the existing dwelling in design terms. With the two storey extension leading to the loss of the current narrative as a farmhouse converted to a substantial country house.

The new gates and refuse and bin stores are deemed harmful to the character of the area.

The harm is considered to be less than substantial and thus para 215 of the NPPF applies.

In this case there are not considered to be any material public benefits resulting from the development that would outweigh the identified harm as the proposal would result in a private benefit and the continued viable use of the building as a residential dwelling is not dependant on the proposal as the building has an ongoing residential use.

The proposal is therefore considered to be contrary to the requirements of policies DP26 and DP34 of the Mid Sussex District Plan, principles DG49 and DG50 of the Mid Sussex Design Guide and the requirements of the NPPF.

Decision: Refusal

Case Officer: Andrew Horrell